

ORRICK, HERRINGTON & SUTCLIFFE
KAREN G. JOHNSON-MCKEWAN # 121570
kjohnson-mckewan@orrick.com
ANNETTE L. HURST # 148738
ahurst@orrick.com
GABRIEL M. RAMSEY # 209218
gramsey@orrick.com
405 Howard Street
San Francisco, California 94105-2669
Tel: (415) 773-5700/Fax: (415) 773-5759

PETER A. BICKS (pro hac vice)
pbicks@orrick.com
LISA T. SIMPSON (pro hac vice)
lsimpson@orrick.com
51 West 52nd Street
New York, New York 10019-6142
Tel: (212) 506-5000/Fax: (212) 506-5151

ORACLE CORPORATION
DORIAN DALEY # 129049
dorian.daley@oracle.com
DEBORAH K. MILLER # 95527
deborah.miller@oracle.com
MATTHEW M. SARBORARIA # 211600
matthew.sarboraria@oracle.com
RUCHIKA AGRAWAL # 246058
ruchika.agrawal@oracle.com
500 Oracle Parkway
Redwood City, CA 94065
Tel: (650) 506-5200/Fax: (650) 506-7117

Attorneys for Plaintiff
ORACLE AMERICA, INC.

KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
rvannest@kvn.com
CHRISTA M. ANDERSON - # 184325
canderson@kvn.com
DANIEL PURCELL - # 191424
dpurcell@kvn.com
633 Battery Street
San Francisco, CA 94111-1809
Telephone: (415) 391-5400
Facsimile: (415) 397-7188

KING & SPALDING LLP
BRUCE W. BABER (pro hac vice)
bbaber@kslaw.com
1180 Peachtree Street, N.E.
Atlanta, Georgia 30309
Telephone: (404) 572-4600
Facsimile: (404) 572-5100

Attorneys For Defendant
GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. CV 10-03561 WHA

**JOINT SUBMISSION RE: WHAT IS AND
IS NOT COPYRIGHT PROTECTED AND
THE MEANING OF DECLARING CODE
AND SSO**

Dept. Courtroom 8, 19th Fl.
Judge: Hon. William Alsup

Trial date: May 9, 2016

**JOINT SUBMISSION REGARDING COPYRIGHT PROTECTION, DECLARING
CODE, AND STRUCTURE, SEQUENCE, AND ORGANIZATION**

Pursuant to the Court's Order (ECF No. 1688), the parties met and conferred in person on drafting "a paragraph to explain to the jury precisely what was (and was not) copyrightable and to explain what structure, sequence, and organization and declaring code mean." As the parties were unable to reach agreement, each party has submitted its own separate proposal. Oracle's proposed explanation is attached as **Appendix A**. Google's proposed explanation is attached as **Appendix B**.

Dated: April 28, 2016

ORRICK, HERRINGTON &
SUTCLIFFE LLP

By: /s/ Andrew D. Silverman

KAREN G. JOHNSON-MCKEWAN
ANNETTE L. HURST
GABRIEL M. RAMSEY
PETER A. BICKS
LISA T. SIMPSON

Attorneys for Plaintiff
ORACLE AMERICA, INC.

Dated: April 28, 2016

KEKER & VAN NEST LLP

By: /s/ Robert A. Van Nest

ROBERT A. VAN NEST
CHRISTA M. ANDERSON
DANIEL PURCELL

Attorneys For Defendant
GOOGLE INC.

ATTESTATION

I, Andrew D. Silverman, am the ECF User whose ID and password are being used to file the **JOINT SUBMISSION REGARDING COPYRIGHT PROTECTION, DECLARING CODE, AND STRUCTURE, SEQUENCE, AND ORGANIZATION**. I hereby attest that Bruce W. Baber, one of the counsel for Google Inc., has concurred in this filing.

Date: April 28, 2016

/s/ Andrew D. Silverman